IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

FRIDAY, THE 24TH AUGUST 2007 / 2ND BHADRA 1929

FAO.No. 260 of 2007()

ORDER IN IA NO.3834/2007 IN OS NO.52/2007 OF DISTRICT COURT, ERNAKULAM.

APPELLANT:DEFENDANT NO.1:

A.V.GOVINDANKUTTY, PROPRIETOR,
M/S.BABA CREATIONS, "PRASHANTH", KOTAKKAT P.O.,
VIA THRIKARIPUR, KASARGOD DISTRICT.

BY ADV. SRI.K.T.SHYAMKUMAR
SRI.HARISH R. MENON

RESPONDENTS: PLAINTIFF AND DEFENDANTS 2 TO 5:

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1. M.RAJAN, OFFICE AT 37/3026,
PONATH ROAD, KALOOR, ERNAKULAM COCHIN-17,
REPRESENTED BY HIS POWER-OF-ATTORNEY HOLDER
SRI.V.C.JOSE, S/O.JOSEPH, AGED 49,
D.D.CORNER STONE BUILDINGS, KADAVANTHARA,
ERNAKULAM, KOCHI-20.

2. P.M.BAVA, PROPRIETOR,
SAINA VIDEO VISION, 22/1, SALDAPET ROAD,
VALAPALANI, CHENNAI-26.

3. M/S.MOSER BEAR INDIA LTD.,
43A, OKHLA INDUSTRIAL ESTATE,
NEW DELHI-110020, INDIA REPRESENTED BY ITS
MANAGING DIRECTOR.

4. MRS.S.JOOHI, PROPRIETRIX,
M/S.COLONIA COMMUNICATIONS, NO:5,
"RAGASREE", 1ST FLOOR, CHEMBAKA NAGAR ROAD,
BAKERY JUNCTION, THIRUVANANTHAPURAM-695001.

5. AMRITHA ENTERPRISES (PVT) LTD.,
(AMRITHA TV), 15/1069, GANDHI NAGAR,
VAZHUTHACAUD, THIRUVANANTHAPURAM REPRESENTED
BY ITS MANAGING DIRECTOR.

R1 BY ADV. SHRI MILLU DANDAPANI
R5 BY ADV. SHRI K.SREEKUMAR

THIS FIRST APPEAL FROM ORDERS HAVING COME UP FOR ADMISSION ON 24/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. PADMANABHAN NAIR, J.

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F.A.O. NO. 260 OF 2007

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Dated this the 24th day of August, 2007

J U D G M E N T

Advocate Shri T. Kirshnan Unni appeared for the appellant. Advocate Shri Millu Dendapani took notice for the first respondent and Advocate Shri K. Sreekumar took notice for the 5th respondent.

2. It is submitted by counsel on both sides that O.S. No.52 of 2007 pending before the District Court, Ernakulam is withdrawn and the appeal has become infructuous. Submission is recorded.

The FAO is disposed of as infructuous.

K. PADMANABHAN NAIR, JUDGE.

vsv

K. PADMANABHAN NAIR, J.

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F.A.O. NO. 260 OF 2007

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J U D G M E N T

24TH AUGUST, 2007